

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DOC #:
DATE FILED: 07/19/2023

STERLING AND WILSON SOLAR
SOLUTIONS, INC.,

Plaintiff,

- against -

JPMORGAN CHASE BANK, N.A.,

Defendant.

Case No. 1:23-cv-05711-VEC

**ORDER DENYING PLAINTIFF'S MOTIONS FOR
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

Upon consideration of Plaintiff Sterling and Wilson Solar Solutions, Inc.'s Motion for a Temporary Restraining Order and Preliminary Injunction against JPMorgan Chase Bank, N.A., Plaintiff's Motion for a Temporary Restraining Order and Preliminary Injunction against Bank of America, N.A., the responses to Plaintiff's motions, and the hearing held on July 19, 2023, it is hereby **ORDERED** that:

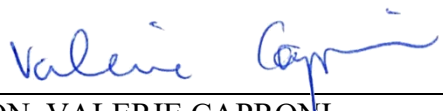
1. Plaintiff's Motion for a Temporary Restraining Order and Preliminary Injunction against JPMorgan Chase Bank, N.A. is **DENIED** for the reasons stated at the July 19, 2023, hearing.
2. Plaintiff's Motion for a Temporary Restraining Order and Preliminary Injunction against Bank of America, N.A. is **DENIED** for the reasons stated at the July 19, 2023, hearing.
3. Within five business days of issuance of this Order, JPMorgan Chase Bank, N.A. is **ORDERED** to issue payment in the amount of \$22,700,000.00 to Lund Hill Solar, LLC, on the draw request submitted on June 21, 2023, under the Irrevocable Standby Letter of Credit Ref. No. NUSCGS033842, originally dated July 21, 2020.

4. Within five business days of issuance of this Order, Bank of America, N.A. is **ORDERED** to issue payment in the amount of \$24,340,000.00 to Montague Solar, LLC, on the draw request submitted on June 23, 2023, under the Irrevocable Standby Letter of Credit Ref. No. 68176052, originally dated May 12, 2021.

5. Not later than **July 20, 2023**, the parties must submit narrowed redactions in support of their pending motions to redact or seal the documents filed in conjunction with Plaintiff's motion for a temporary restraining order and preliminary injunction.

6. Not later than **July 28, 2023**, Plaintiff must submit a notice of voluntary dismissal or a joint letter with proposed next steps.

Dated: July 19, 2023



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE